



W.P.(MD) No.1944 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2023

CORAM:

THE HONOURABLE MS.JUSTICE P.T.ASHA

W.P.(MD) No.1944 of 2020

and

W.M.P(MD) Nos.1628 and 1629 of 2020

The Correspondent,
Triveni School,
No.100 & 101, Ponnagaram Compound,
Madurai-625 016,
Madurai District.

... Petitioner

Vs.

- 1.The State of Tamilnadu,
Rep. by its Secretary,
Department of School Education,
Fort St.George,
Chennai-600 009.
- 2.The Director of School Education,
College Road,
Chennai-600 006.
- 3.The Joint Director of School Education,
(Secondary Education),
College Road, Chennai-600 006.



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4.The Chief Educational Officer,
Madurai, Madurai District.

5.The Council for the Indian School,
Certificate Examinations,
Rep by its Secretary,
Pragati House, 3rd Floor,
47-48 Nehru place,
New Delhi-110 019.

... Respondents

Prayer :- Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the third respondent Joint Director of School Education in Na.Ka.No. 052205/G2/E3/2019, dated 24.10.2019 (received on 15.12.2019) quash the same and further direct the first State Government to recognise forthwith the status of the petitioner-school namely, Triveni School, Ponnagaram Compound, Madurai District as a Christian Religious Minority Educational Institution.

For Petitioner : Mr.K.Ragatheesh Kumar
for M/s.Isaac Chambers

For Respondents : Mr.V.Omprakash
Government Advocate



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ORDER

The above writ petition is filed for issuance of a writ of Certiorarified mandamus to call for the records relating to the impugned proceedings issued by the third respondent, Joint Director of School Education, in Na.Ka.No.052205/G2/E3/2019, dated 24.10.2019 (received on 15.12.2019) and quash the same and further to direct the State Government to recognise forthwith the status of the petitioner-school, namely, Triveni School, Ponnagaram Compound, Madurai District as a Christian Religious Minority Educational Institution.

2.The brief facts are as follows:-

(i) The petitioner's school namely, Triveni School, is an educational institution owned and administered by the trust namely 'The KJZ Foundation Trust'. This Society is a religious charitable society and the members and officers of the society belonged to the Orthodox Syrian Christians. The object of the Society was to establish, maintain and develop educational, health and other institutions for the advancement of



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people particularly for the welfare of the Malayam speaking Orthodox Syrian Christians.

(ii) The petitioner's school was established in the year 2019 offering education for the students from Pre.K.G to 5th standard. At present, there are 109 students studying in the school. The petitioner would submit that the school is fully a self financed one and the educational authority are treating the school as a minority educational institution. Therefore, in order to get a formal certification with reference to the status as a minority institution, a memorandum dated 10.08.2019, was submitted by the petitioners along with all the necessary documents to the first respondent, through proper channel, namely, second respondent the Director of School Education. While so, the petitioner was shocked to be served with the impugned order, in and by which, the third respondent had stated that they required certain clarification and that apart they required community certificate of the persons in the management of the society.



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3. The learned counsel for the petitioner would submit that the petitioner is a christian minority institution and there is no question of community certificate. Further, the petitioner have enclosed the Baptism certificate of each of the members to prove their contention that they are christian, despite which the impugned notice has been issued.

4. Heard both the counsels appearing on either side.

5. Since the notice requires the petitioner to submit certain documents, this Writ Petition is disposed of with a direction that the documents as called for except for the community certificate, shall be submitted to the third respondent and considering the fact that the members and management of the society are Christians, the third respondent shall accept the Baptism certificate issued to them and thereafter, consider the same and pass orders of recognition in accordance with law. No costs.

16.03.2023

NCC : Yes/No

Index : Yes/No

Internet : Yes



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To

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P.T.ASHA, J.

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